



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/381,528 01/04/00 TAKETOMI Y YAO-V04302

MM21/0707

ANDREW L NEY
RATNER & PRESTIA
ONE WESTLAKES BERWYN
SUITE 301 PO BOX 980
VALLEY FORGE PA 19482-0980

EXAMINER

CHANG, A

ART UNIT

PAPER NUMBER

2872

DATE MAILED:

07/07/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/381,528

Applicant(s)
Taketomi et al

Examiner
Audrey Chang

Group Art Unit
2872



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 1 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-66 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☐ Claim(s) _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☒ Claims 1-66 are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2872

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in response to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-57, drawn to a hologram device formed specifically using a slit.

Group II, claim(s) 58-66, drawn to an optical display apparatus comprising a hologram screen.

2. The inventions listed as Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: group I invention are related to the apparatus for forming a hologram where the group II invention are related to utilize a hologram screen in an optical display apparatus.

3. This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

In group I,

(A) using hologram to generate light having information of the object,

(B) using diffused object light,

Art Unit: 2872

- (C) using linear light source,
- (D) linear light source generated by fluorescent lamp and reflective plate,
- (E) linear light source generated by polygon mirror and a point light source,
- (F) linear light source generated by a cylindrical mirror and a point light source,
- (G) linear light source configured by linearly focusing light by a mirror or a lens,
- (H) linear light source comprising an array of point light sources,
- (I) linear light source configured by bright line displayed on a two-dimensional display apparatus,
- (J) an optical display system comprises an information communication apparatus,
- (K) having three dimensional displays,

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

4. The claims are deemed to correspond to the species listed above in the following manner:

Claims 4-7, and 15-18 are drawn to species (A) ,

Art Unit: 2872

Claims 2-3, 14 and 19 are drawn to species (B),

Claims 9-10, 20-21, 32-35 are drawn to species (C),

Claim 38-39 are drawn to species (D),

Claims 40-41 are drawn to species (E),

Claims 42-43 are drawn to species (F),

Claims 44-45 are drawn to species (G),

Claims 46-47 are drawn to species (H),

Claims 48-49 are drawn to species (I)

Claims 50, 53, 54 and 57 are drawn to species (J)

Claims 51-52 and 55-56 are drawn to species (K),

The following claim(s) are generic: 1 and 13.

5. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: they each are distinct from each other for reasons and descriptions stated above.

6. A telephone call was not made to applicant's attorney to request an oral election to the above restriction requirement, due to the complexity of the requirement.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named

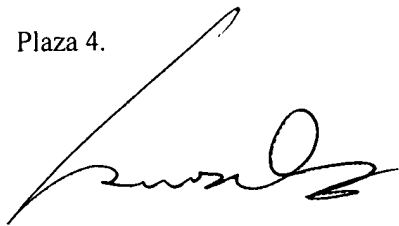
Art Unit: 2872

inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chang whose telephone number is (703) 305-6208.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Papers related to this application may be submitted to Group 2800 through facsimile transmission. Papers should be faxed to Group 2800 via PTO Fax Center (fax number 703-308-7722) located in Crystal Plaza 4.

A handwritten signature in black ink, appearing to read 'A. Chang', with a long, sweeping horizontal stroke extending to the left.

A. Chang (Primary Examiner)

July 6, 2000